

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:19-CV-00144-GCM**

UNITED STATES OF AMERICA,)	
)	
Plaintiffs,)	
)	
v.)	<u>ORDER</u>
)	
MILELE BYNUM,)	
)	
Defendants.)	
_____)	

THIS MATTER COMES before this Court on the Government’s Motion to Transfer Venue. (Doc. No. 10). The Government made this Motion in response to Defendant Milele Bynum’s (“Defendant”) Answer in this matter. Defendant’s pro se Answer stated that Defendant resides in Durham County, North Carolina instead of Mecklenburg County, North Carolina as alleged in the Complaint. The Government construed this as a motion to transfer venue.¹ Based on the pro se Defendant’s Answer, the Government now moves this Court to transfer this case to the Middle District of North Carolina.

“For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. . .” 28 U.S.C. §1404(a). A civil action may be brought in the judicial district in which the defendant resides. 28 U.S.C. §1391(a).

¹ Defendant did not file a motion to transfer venue. However, pro se filings are to be construed liberally. *See Erickson v. Pardus*, 551 U.S. 89, 94 (2007). The Government read Defendant’s Answer as a motion to transfer venue. The Government then filed such a Motion noting its consent to the transfer. The Court finds that reading of the Answer reasonable and proceeds accordingly.

Based on the pro se Defendant's Answer, the Government could have brought this case in the Middle District of North Carolina. In reviewing the record, the Government intended to bring this case in the District in which the Defendant lives. That District is the Middle District of North Carolina. As such, the Court finds that convenience to the Parties and witnesses would be best served by transferring this case to the Middle District of North Carolina. 28 U.S.C. §1404(a).

IT IS THEREFORE ORDERED, this case is transferred to the Middle District of North Carolina for further proceedings. The Clerk is directed to **TRANSFER** all filings and documents associated with this matter and thereafter, **CLOSE** this case.

SO ORDERED.

Signed: August 13, 2019

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

